This Instrument Prepared By:
Jack F. King, Jr.
MILLER & MARTIN PLLC
1200 One Nashville Place
150 4th Avenue North
Nashville, TN 37219

Davidson County DEEDTRS
Recvd: 04/16/04 15:34 5pgs
Fees:28.00 Taxes:6290.00
20040416-0043329

New Owner:	**Send Tax Bills To:**	**Tax Map & Parcel No.:**
Lehman Housing Capital, Inc. 399 Park Avenue, 16th Floor New York, NY 10022-4676	Same	Map: 086 Parcel: 092.00

SUBSTITUTE TRUSTEE'S QUITCLAIM DEED

THIS DEED is executed to be effective as of the 16th day of April, 2004 from JACK F. KING, JR., as Grantor, in his capacity as Substitute Trustee, to LEHMAN HOUSING LENDING CORP., as Grantee.

W I T N E S E T H:

WHEREAS, on July 30, 1997, Hermitage Creste Apt., L.P., a Georgia limited partnership, executed a Deed of Trust, Assignment of Rents and Security Agreement (the "Deed of Trust") to the trustee named therein to secure the prompt payment of certain indebtedness held by and owing to Dynex Commercial, Inc. ("Dynex") said indebtedness being more particularly described in the Deed of Trust which is of record in the Register's Office of Davidson County, Tennessee in Book 10577, page 885, to which reference is hereby made; and

WHEREAS, Dynex assigned all of its right, title and interest in the Deed of Trust to Lehman Housing Lending Corp. (hereinafter referred to as "Lehman") by assignment recorded in Book 11324, page 108, Register's Office for Davidson County, Tennessee; and

WHEREAS, default was made in the payment of the aforesaid indebtedness and in the performance of the covenants described in the Deed of Trust, by reason of which the entire balance owing thereunder was declared to be due and payable; and

WHEREAS, pursuant to the terms of the Deed of Trust, Jack F. King, Jr. was appointed as Substitute Trustee as reflected in that certain Appointment of Substitute Trustee recorded in Instrument No. 20040322-0032284, Register's Office of Davidson County, Tennessee.

WHEREAS, by virtue of the power and authority vested in me as Substitute Trustee under the Deed of Trust, at the request of Lehman, being the owner and holder of the indebtedness secured thereby, and for the purposes of effecting payment on the indebtedness, including principal, interest, late charges, attorney fees and costs of sale, I, Jack F. King, Jr., as Substitute Trustee, did on April 16, 2004 commencing at 10:00 A.M. pursuant to advertisement of sale published in the The Nashville Record in its editions of March 25, 2004, April 1, 2004 and April 8, 2004, offer for sale and sell at public auction to the highest and best bidder for cash at the front door of the old Ben West Library Building in downtown Nashville, Tennessee and located at 225 Polk Avenue, Nashville, Tennessee, in bar of the equities of redemption, statutory redemption, dower, homestead and all other exemptions of every kind, all of which are expressly waived in the Deed of Trust, the hereinafter described real estate, at which sale the Grantee became the highest and best bidder at and for the sum of One Million Seven Hundred Thousand Dollars ($1,700,000.00)

NOW, THEREFORE, I, Jack F. King, Jr., Substitute Trustee, exercising the power and authority vested in me, and in bar of the equities of redemption, statutory redemption, dower and homestead, do hereby quitclaim to the Grantee, its successors and assigns, all my interest in the

following described real estate located in the City of Nashville, County of Davidson, State of Tennessee:

A tract of land, being shown on the plan of the Resubdivision of Hermitage Creste of record in Plat Book 7900, page 959, Register's Office for Davidson County, Tennessee and being more particularly described according to a survey by Ragen-Smith Associates, Inc., Project No. 90-127/3556 as follows:

Beginning at an existing iron pin in the easterly margin of Andrew Jackson Way (a 60' public Right of Way), said pin being North 84 38' 11" West 5.00 feet from an existing iron pin at the southeast corner of Bret Ridge Subdivision, recorded in Plat Book 6900, page 121, Register's Office for Davidson County, Tennessee; thence, with a 5.00 foot offset in said right of way and the southerly property line of Bret Ridge, South 84 38' 11" East, passing an existing iron pin at 5.00 feet, a total distance of 736.28 feet to an existing concrete monument in the westerly line of Phase 1, Section 2, Jackson's Retreat, recorded in Plat Book 5200, page 334, said Register's Office; thence, with said westerly line, South 05 04' 21" West, 63.75 feet to a set iron pin at the northwesterly corner of Phase II – Jackson's Retreat, recorded in Plat Book 5200, page 673, said Register's Office; thence, with the westerly line of Phase II- Jackson's Retreat, South 04 20' 36" East 308.81 feet to an existing concrete monument; thence, South 65 30' 00" East, 399.91 feet to an existing concrete monument; thence, continuing with the westerly line of Phase II – Jackson's Retreat and Phase V-B, Jackson's Retreat, recorded in Plat Book 6250, page 851, said Register's Office; South 22 45' 14" East 335.58 feet to an existing concrete monument; thence, with the westerly line of Phase V-B, Jackson's Retreat, South 19 16' 23" West, passing an existing concrete monument in the northerly margin of Market Square (50 foot right of way) at 154.95 feet, a total distance of 179.95 feet to an existing PK nail; thence, with the centerline of Market Square, North 70 44' 40" West 49.97 feet to an existing PK nail; thence, leaving the centerline and with the westerly line of Phase V-B, Jackson's Retreat, South 19 13' 40" West, passing a set iron witness pin at 100.00 feet, a total distance of 147.82 feet to a point in the centerline of Dry Fork Creek; thence, with the centerline of Dry Fork Creek South 84 46' 40" West, 128.09 feet to a point; thence, continuing with said centerline North 43 10' 20" West 163.20 feet to a point; thence, North 59 25' 20" West, 329.30 feet to a point; thence, North 84 53' 20" West 114.70 feet to a point; thence, South 57 31' 40" West, 59.30 feet to a point; thence, North 74 44 ' 20" West, 66.80 feet to a point; thence, South 82 25' 40" West, 237.58 feet to a point in the easterly margin of Andrew Jackson Way; thence, with the easterly margin of Andrew Jackson Way, along a 2902.32 foot radius curve to the right a distance of 978.99 feet a chord bearing and distance of North 06 01' 36" West 974.36 feet to the Point of Beginning and containing 21.420 acres, more or less.

Being the same property conveyed to Hermitage Creste Apt., L.P., a Georgia Limited partnership by deed from Robert J. Huber and Fern L. Huber, of record in Book 8516, page 754, and Quitclaim Deed of record in Book 8516, page 760, and as re-recorded in Book 10046, page 757, Register's Office for Davidson County, Tennessee.

The property address is believed to be: Hickory Ridge Apartments, Andrew Jackson Way, Hermitage, Tennessee 37076.

The Substitute Trustee does hereby quitclaim unto Grantee all of his right, title and interest in the said property subject to any governmental zoning or subdivision ordinances or regulations in effect thereon and further subject to any unpaid taxes or assessments owing on the property.

IN WITNESS WHEREOF, I, Jack F. King, Jr., Substitute Trustee, have executed this instrument to be effective the date first above written.

Jack F. King Jr. Substitute Trustee

JACK F. KING, JR.
Substitute Trustee

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Jean P. Shearer, a Notary Public in and for the County and State aforesaid, personally appeared Jack F. King, Jr., Substitute Trustee, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and seal, at office in Nashville, Tennessee, this 16th day of April, 2004.

JEAN P. SHEARER NOTARY PUBLIC AT LARGE DAVIDSON

Jean P. Shearer
NOTARY PUBLIC
My Commission Expires: 3-25-06

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

I hereby swear or affirm that, to the best of my knowledge, information and belief, the actual consideration for this transfer is $1,700,000.

Jack F. King, Jr.

Sworn to and subscribed before me
this 16th day of April, 2004.

Notary Public
My Commission Expires: 3-25-06

